



#16  
W. L. Wampler  
PATENT 11/23/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: John S. Hendricks, et al. Attorney Docket No.: 5062  
Serial No.: 08/958,088 Examiner: Christopher C. Grant  
Filed: October 27, 1997 Group Art Unit: 2611

For: **DIGITAL CABLE HEADEND FOR CABLE TELEVISION  
DELIVERY SYSTEMS**

This application is a continuation of patent application Serial No. 08/160,283, filed on December 2, 1993, which is a continuation-in-part of patent application Serial No. 07/991,074, filed on December 9, 1992.

**Box Non-Fee Amendment**  
Assistant Commissioner of Patents  
Washington, D.C. 20231

**RECEIVED**

**NOV 22 2002**

**RESPONSE**

**Technology Center 2600**

Dear Sir:

This *Response* is filed in reply to the Paper No. 13, mailed November 4, 2002, in the above-referenced application. Paper No. 13 stated that the Applicants' August 19, 2002 communication was non-responsive since the communication allegedly failed to point out the patentable novelty in new claims 74-79. Applicants respectfully point the Examiner to the discussion on pages 8-10 of the Section 103(a) rejection of claims 67-69 over Nemirofsky and Wasilewski. This discussion points out novel features of these claims that Nemirofsky and Wasilewski do not disclose or suggest, in combination or alone. Some of this same reasoning is applicable to new claims 74-79. Therefore, the Applicants' communication does point out the patentable novelty of new claims 74-79.

More specifically, Nemirofsky or Wasilewski, alone or in combination, do not disclose or suggest, at least, "receiving ... a multiplexed signal containing a plurality of digital programs or channels ..." or "selecting the desired digital programs or channels ... wherein the selected digital programs or channels are a subset of the plurality of digital programs or channels contained in the multiplexed signal," as in claims 74-76. Likewise, Nemirofsky or Wasilewski,

alone or in combination, do not disclose or suggest, at least, "receiving ... a plurality of multiplexed signals, each multiplexed signal containing a plurality of digital programs or channels..." or "selecting the desired digital programs or channels ... wherein the selected digital programs or channels are a subset of the plurality of digital programs or channels contained in the multiplexed signals," as in claims 77-79. Therefore, claims 74-79 are patentable and a notice of allowance is respectfully requested.

#### Conclusion

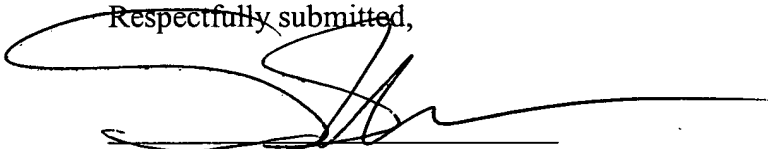
Applicants believe all the claims to be in condition for allowance, and a Notice of Allowability is respectfully requested.

The Commissioner is hereby authorized to charge any fees necessitated by this response or credit any overpayment to Deposit Account Number 04-1425. A duplicate copy of this response is enclosed for that purpose.

If the Examiner believes that any issues remain unresolved, he is invited to telephone the undersigned to expedite issuance.

Dated: November 21, 2002

Respectfully submitted,



Sean S. Wooden (Reg. No. 43,997)  
DORSEY & WHITNEY LLP  
1001 Pennsylvania Ave., N.W.  
Suite 400 South  
Washington, D.C. 20004  
(202) 442-3000  
(202) 824-3199 facsimile

Attorney of Record

<b>AMENDMENT TRANSMITTAL LETTER (Large Entity)</b>			Docket No. <b>5062</b>		
Applicant(s):					
Serial No. <b>08/958,088</b>	Filing Date <b>10/27/1997</b>	Examiner <b>Christopher C. Grant</b>	Group Art Unit <b>2611</b>		
Invention: <b>DIGITAL CABLE HEADEND FOR CABLE TELEVISION DELIVERY SYSTEMS</b>					
<div style="display: flex; justify-content: space-between; align-items: center;"> <div style="border: 1px solid black; border-radius: 50%; padding: 10px; transform: rotate(-15deg); text-align: center;"> <b>NOV 21 2002</b>  <small>U.S. PATENT &amp; TRADEMARK OFFICE</small> </div> <div> <b>TO THE ASSISTANT COMMISSIONER FOR PATENTS:</b> </div> <div style="border: 1px solid black; padding: 5px; text-align: center;"> <b>RECEIVED</b>  <b>NOV 22 2002</b> </div> </div>					
Transmitted herewith is an amendment in the above-identified application.					
The fee has been calculated and is transmitted as shown below. <span style="float: right;"><b>Technology Center 2800</b></span>					
<b>CLAIMS AS AMENDED</b>					
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	52 -	52 =	0 x	\$18.00	\$0.00
INDEP. CLAIMS	13 -	13 =	0 x	\$84.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT</b>					<b>\$0.00</b>
<div style="display: flex;"> <div style="flex: 1;"> <input checked="" type="checkbox"/> No additional fee is required for amendment.  <input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____  A duplicate copy of this sheet is enclosed.  <input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed.  <input type="checkbox"/> The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. _____  A duplicate copy of this sheet is enclosed.  <input type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16.  <input type="checkbox"/> Any patent application processing fees under 37 CFR 1.17. </div> <div style="flex: 1; text-align: right; padding-top: 20px;"> Dated: <b>November 21, 2002</b> </div> </div>					
<div style="display: flex;"> <div style="flex: 1;"> <p style="margin: 0;">_____ Signature</p> <p><b>Sean S. Wooden, Reg. No. 43,997</b>  <b>DORSEY &amp; WHITNEY LLP</b>  1001 Pennsylvania Avenue, N.W.  Suite 400 South  Washington, D.C. 20004  Tel. (202) 442-3000  Fax (202) 442-3199</p> </div> <div style="flex: 1; border: 1px solid black; padding: 10px; margin-left: 10px;"> I certify that this document and fee is being deposited on _____ with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.   <div style="border-top: 1px solid black; height: 20px; margin-bottom: 5px;"></div> <p style="text-align: center; margin: 0;"><i>Signature of Person Mailing Correspondence</i></p> <div style="border-top: 1px solid black; height: 20px; margin-bottom: 5px;"></div> <p style="text-align: center; margin: 0;"><i>Typed or Printed Name of Person Mailing Correspondence</i></p> </div> </div>					
CC:					